

Notice of Allowability

Application No.

10/718,161

Applicant(s)

CAJOLET ET AL.

Examiner

Prabodh M. Dharia

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05-18-2007.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>07-11-2007</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

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1. **Status:** please all the replies and correspondence should be addressed to examiner's new art unit 2629. Receipt is acknowledged of papers submitted 05-18-2007 under amendments and request for reconsideration have been placed of record in the file. The terminal disclaimer filed on 05-01-2006 disclaiming the terminal portion of any patent granted on this application has been reviewed and is accepted and has been placed of record in the file. Claims 1-7 are pending in this office action.

Priority

2. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. Applicant has complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 119(e) and under 35 U.S.C. 120 by including a specific reference to the prior-filed application in compliance with 37 CFR 1.78(a) in the first sentence(s) of the specification following the title or in an application data sheet.

3. A timely filed on 05-01-2006 terminal disclaimer in compliance with 37 CFR 1.321(c) has overcome an actual rejection based on a nonstatutory double patenting ground and signed by the agent to fully comply with 37 CFR 3.73(b).

Response to Amendment

4. Applicant has timely filed on 05-01-2006 disclaiming the terminal portion of any patent granted on this application has been reviewed and is accepted. The applicant has agreed to do

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examiner's amendments per examiner's extensive interview with applicant's representative on 07-11-2007 to overcome 35 USC 101 rejection. Applicant's argument; see remark filed 05-18-2007, with respect to independent claim 1 regarding under claim rejection "allowing a user to modify the duration of the clip object corresponding to the animation element by manipulating at least one of the start position and the end position of the clip object, whereby the animation parameters associated with the animation element corresponding to the clip object are modified according to the modified duration of the clip object; rendering the animation element corresponding to the clip object in accordance with the animation parameters as defined by any modification to the duration of the clip object to produce a second rendered sequence of two dimensional animation frames; and compositing the second rendered sequence of two-dimensional animation frames with the at least one other clip object representing the other sequence of two-dimensional frames to produce a representation of the three-dimensional animation" are persuasive; and with the examiner amendments after further extensive search in PG PUB, prior art and consideration does overcome prior art rejection and cited prior arts; which puts the application number 10,718,161 in condition for allowance.

5. Applicant has labeled drawings boxes as per objection; therefore the objection to drawing is withdrawn.

6. The amendments filed on 05-18-2007 do not introduce any new matter into the disclosure of the invention. The added material has support in the original disclosure. The amendments are to labeled the each box in the drawings for more clarification.

Response to Arguments

7. Applicant's arguments, see remark, filed 05-18-2007, with respect to 35 USC 112 second paragraph have been fully considered and are persuasive. The 35 USC 112 second paragraph rejection has been withdrawn.

8. Applicant's arguments, see remark, filed 05-18-2007, with respect to objection of drawing regarding reference number 80 on drawings has been fully considered and are persuasive. The objection to drawing has been withdrawn.

EXAMINER'S AMENDMENT

9. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal telephone interview with applicant's representative Peter J. Gordon on 07-11-2007.

The application has been amended as follows:

In the Claims

Claim 1, Line 2, please delete "a computer readable medium"

Allowable Subject Matter

10. Claims 1-7 are allowed.

11. The following is an examiner's statement of reasons for allowance:

Applicant has timely filed on 05-01-2006 a terminal disclaimer in compliance with 37 CFR 1.321(c) has overcome an actual rejection based on a nonstatutory double patenting ground and signed by the agent to fully comply with 37 CFR 3.73(b). The applicant has agreed to do examiner's amendments per examiner's extensive interview with applicant's representative on 07-11-2007 to overcome 35 US 101 rejection. Applicant's arguments; see remark filed 05-18-2007, with respect to independent claim 1 on page 4, paragraphs 3-6, the prior art of over Rayner (5,388,197), Girard (5,594,856), Ibrahim et al (US 2004/0117730) and all the cited prior arts fails to recite or disclose the uniquely distinct features of the bold underlined claim limitations below with all the other limitations recited in the independent claim 1:

allowing a user to modify the duration of the clip object corresponding to the animation element by manipulating at least one of the start position and the end position of the clip object, whereby the animation parameters associated with the animation element corresponding to the clip object are modified according to the modified duration of the clip object; rendering the animation element corresponding to the clip object in accordance with the animation parameters as defined by any modification to the duration of the clip object to produce a second rendered sequence of two dimensional animation frames; and compositing the second rendered sequence of two-dimensional animation frames with the

at least one other clip object representing the other sequence of two-dimensional frames to produce a representation of the three-dimensional animation.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M Dharia whose telephone number is 571-272-7668. The examiner can normally be reached on M-F 8AM to 5PM.

13. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

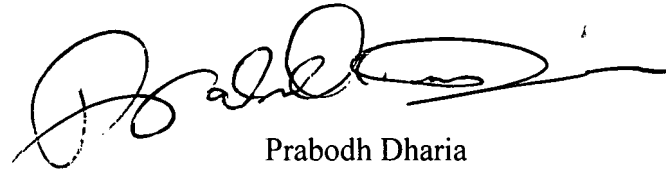
14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

A handwritten signature in black ink, appearing to read 'Prabodh Dharia', with a long horizontal flourish extending to the right.

Prabodh Dharia

Full Signatory Authority Program

AU2629

07-11-2007